



COPY

Attorney's Docket No. WWELL63.001APC

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

RECEIVED

As a below named inventor, I hereby declare that:

APR 14 2003

My residence, post office address and citizenship are as stated below next to my name;

TECH CENTER 1600/2900

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled RIBOZYMES FOR PREVENTION OF RESTENOSIS the specification of which was described and claimed in PCT International Application No. EP99/07049 filed on September 22, 1999.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

| COUNTRY (OR INDICATE IF PCT) | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 37 U.S.C. § 119 |
|---------------------------------|-----------------------|--------------------------------------|--|
| | | | <input type="radio"/> YES <input type="radio"/> NO |

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Gabriele GRASSI**

Inventor's signature Gabriele Grassi Day 17 Month June Year 2002

Residence (city and country): Tübingen, Germany

Citizenship: German

Post Office Address: Mohlstrasse 52, D-72074 Tübingen, Germany

Full name of second inventor: Anne KUHN

Inventor's signature Anne Kuhn Day 17 Month June Year 2002

Residence (city and country): Tübingen, Germany

Citizenship: German

Post Office Address: Marienstraße 33, D-72072 Tübingen, Germany

Full name of third inventor: Reinhard KANDOLF

Inventor's signature Kandolf Day 17 Month June Year 2002

Residence (city and country): Hechingen, Germany

Citizenship: German

Post Office Address: Untere Dornäcker 49, D-72379 Hechingen, Germany

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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ASSIGNMENT

WHEREAS, I, Gabriele Grassi, a German citizen, residing at Mohlstrasse 52, D-72074 Tübingen, Germany, Anne Kuhn, a German citizen, residing at Marienstraße 33, D-72072 Tübingen, Germany, and Reinhard Kandolf, a German citizen, residing at Untere Dornäcker 49, D-72379 Hechingen, Germany, hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in RIBOZYMES FOR PREVENTION OF RESTENOSIS, the specification of which was described and claimed in PCT International Application No. EP99/07049, filed on September 22, 1999.

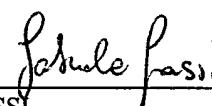
AND WHEREAS, Eberhard-Karls-Universität Tübingen Universitätsklinikum with its principal place of business at Geissweg 3, D-72076 Tübingen, Germany (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 17 day of June, 2002


Signature of Gabriele GRASSI

Witness: Kuhn

This 17 day of June, 2002


Signature of Anne KUHN

Witness: Kuhn

This 17 day of June, 2002


Signature of Reinhard KANDOLF

Witness: Kuhn